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March 24, 2004

TRA. DOCKET RES

Guy M. Hicks
General Counsel
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VIA HAND DELIVERY

Hon. Deborah Taylor Tate, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Implementation of the Federal Communications Commission's
Triennial Review Order (Nine-month Proceeding)(Switching)*
Docket No. 03-00491

*Implementation of the Federal Communications Commission's
Triennial Review Order (Nine-month Proceeding) (Hot Cuts)*
Docket No. 03-00526

*Implementation of the Federal Communications Commission's
Triennial Review Order (Nine-month Proceeding) (Loop & Transport)*
Docket No. 03-00527

Dear Chairman Tate.

BellSouth and CompSouth respectfully submit this agreed, proposed Notice for the TRO proceedings. The enclosed has been provided today to the other parties via e-mail. Thank you for your consideration of this request.

Very truly yours,

Guy M. Hicks
BellSouth Telecommunications, Inc.

Henry Walker
For CompSouth

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Implementation of the Federal Communications Commission's
Triennial Review Order (Nine-month Proceeding)(Switching)*
Docket No. 03-00491

*Implementation of the Federal Communications Commission's
Triennial Review Order (Nine-month Proceeding) (Hot Cuts)*
Docket No. 03-00526

*Implementation of the Federal Communications Commission's
Triennial Review Order (Nine-month Proceeding) (Loop & Transport)*
Docket No. 03-00527

NOTICE

This matter came before the Authority as a result of comments submitted by the parties in response to requests by Hearing Officers in the above-referenced dockets. In these comments, the parties expressed their views concerning how best to proceed in the various Triennial Review Order ("TRO") dockets currently pending before the Authority, in light of the March 2, 2004 decision of the United States Court of Appeals for the District of Columbia in *United States Telecom Assoc. v. FCC USTA II*.

During the Monday, March 22, 2004, Conference, the Authority decided, in each of its various pending TRO dockets, that the Authority would suspend the current procedural schedule for hearings and post-hearing briefing in each such docket indefinitely and hold a hearing on March 30, 2004, for the following limited purposes.

- 1 The parties will submit into the records of each open TRO docket: the prefiled testimony and exhibits (without a live oath being taken by the witness), discovery, and agreed-upon excerpts of the records of similar proceedings in Florida and Georgia, all of which shall be admitted into the record subject to the right of parties to make legal objections and to

engage in cross examination at a future date established by the Authority. Witnesses need not be present at this hearing. The parties shall be responsible for identifying the pre-filed testimony and exhibits to be placed in the record. Agreed-upon excerpts from the records of similar proceedings in Florida and Georgia shall be submitted following the hearing as soon as they are available and the parties have agreed to what should be included in the excerpts.

2. The parties, through counsel shall be available to make presentations, limited in duration to no more than two hours per side (e.g., two hours for Bellsouth and two hours collectively for the CLECs) and 15 minutes provided to the Consumer Advocate, during which presentations legal counsel for the parties shall present: (1) an overview of the evidence in the record in the above-referenced dockets, (2) be prepared to answer any questions concerning this and related issues that the Directors may have. **[The parties are uncertain as to whether the Directors wish for them to discuss the D.C. Circuit Court of Appeals decision. We leave this determination to the Directors. If such discussion is requested, then the following language could be added to this Notice. “(3) the impact of *USTA II* on the TRO, the Authority’s obligations under the TRO and any other Dockets presently pending before the Authority.” If this discussion is not desired, then this sentence may be left out.]**

The hearing shall take place on Tuesday, March 30, 2004 beginning at 9:00 a.m.

So Ordered

CHAIRMAN

DIRECTOR

DIRECTOR

DIRECTOR

CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2004, a copy of the foregoing document was served on the parties of record, via the method indicated:

☐ Hand
☐ Mail
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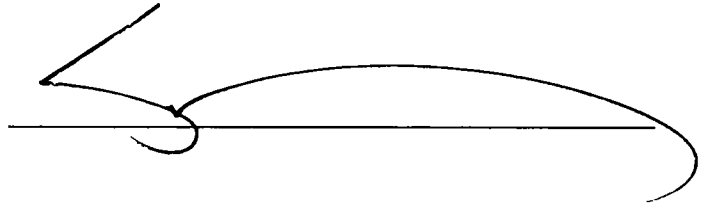
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A handwritten signature in black ink, consisting of a stylized 'K' followed by a long horizontal stroke that curves upwards at the end.